



Lincoln Commission On
HUMAN RIGHTS

2005 ANNUAL REPORT

The Lincoln Commission on Human Rights
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MAYOR COLEEN J. SENG

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February 1, 2006

Dear Friends:

As Mayor, I am pleased to endorse the 2005 annual report of the Lincoln Commission on Human Rights (LCHR).

LCHR continues to build bridges of understanding in our community. This annual report documents the scope of our civil rights activities for the year 2005. Although challenges remain, this is a record of achievement as we seek to make Lincoln "One Community."

I am particularly pleased that the Commission has expanded its outreach and educational activities during the past year. I am very excited about LCHR's 5 CITY-TV program, "LCHR: Addressing Discrimination in Lincoln, Nebraska." Education and honest discussion of the issues coupled with enforcement is needed if we are to ultimately achieve full equal opportunity and fairness in our community.

Lincoln, Nebraska is a great place to live. With a commitment to compassion, fairness, justice and equal opportunity, we can all achieve the dream in which Dr. Martin Luther King, Jr. and many others believed. As this report shows, the Lincoln Commission on Human Rights is one of the agencies leading the way.

Coleen J. Seng
Mayor of Lincoln





February 1, 2005



Dear Friends:

As Director, I present the 2005 Lincoln Commission on Human Rights Annual Report. I am very pleased with the work we have done during the past year, but at the same time, I am fully aware of the challenges that we face in the upcoming year.

During the past year, we sponsored or partnered with other groups in more than seventy events through our educational outreach program reaching more than 3,200 people. The 2005 Fair Housing Conference was expanded to one and a half days. This Conference has become well known throughout the Midwest. In 2006, the conference will again be one and a half days with new and continuing sponsors and with anticipated increased attendance. The 2005 Great Plains Symposium on Employment Issues was also our most successful to date, and survey results indicated the need to hold the event on an annual basis.

We identified a need to intensify our efforts to inform the residents of Lincoln that the Commission on Human Rights is the local equal opportunity agency, committed to handling discrimination issues in the areas of housing, employment and public accommodation within the City of Lincoln. Thus, we have increased our outreach and educational efforts in a variety of ways. We began a campaign of bus and theater advertising and billboards. We are beginning a monthly television program entitled: "LCHR: Addressing Issues of Discrimination in Lincoln, Nebraska."

In other areas, the Historically Underutilized Business (HUB) directory was updated and placed on the City's website. This is a directory of women and minority businesses that will be updated on a regular basis. In 2006, we are also committed to implementing an effective and fair contract compliance system which encourages competition and will assist women and minority businesses in securing contracting opportunities with the City. We are working diligently on revising our local ordinance.

Even with limited resources and a decreased number of complaints filed, the Lincoln Commission on Human Rights has investigated and resolved more than 67 complaints and secured more than \$70,000 in monetary settlements for clients.

It is through outreach, education, effective enforcement and implementation of new programs that we can eliminate discrimination and increase opportunities. My gratitude and thanks to Mayor Coleen J Seng, the City Council and Commissioners for their support. Most of all, a very big thank you to our very dedicated staff for their support and hard work.

Sincerely,

Larry Williams
Director/EOO

2005 COMMISSIONERS



Ernesto Castillo, Chair
Oscar Harriott, Vice-Chair
Maisun Allahiq
Carmy Anthony
Meredith DeCory
David Fikar
Sitaram Jaswal (not pictured)
Lori Lopez Urdiales
Linda Willard

The LCHR Commission is a nine member board of diverse people who hear and decide the cases presented to them. They are volunteers who are appointed by the Mayor and approved by the City Council. An additional goal of the Commission is to continue educating the public on the discrimination laws in the hope of preventing and eventually eliminating unlawful discrimination. They meet on the last Thursday of each month at 4 p.m. in the City Council Chambers of the County/City Building.

STATISTICAL OVERVIEW OF COMPLAINTS

The 1995 Annual Report was the Commission's first Annual Report since 1990. The 2005 report continues to follow 1995's "overview of complaints" format and content presentation. The result is a 10-year cumulative view as well as a view of last year.

OBSERVATIONS, 2005

There was a total of 65 complaints filed compared to 90 in 2004. There was a total of 78 complaints closed. There were 8 Reasonable Cause decisions and 54 No Reasonable Cause decisions. The remainder were administrative closures, such as withdrawals, lack of jurisdiction, etc. Also, in 2005, the Commission was able to obtain a total of \$78,100.00 in monetary settlements. The Commission settled other cases on a non-monetary basis. Typically, these cases required equal opportunity and discrimination prevention training as well as changes in employment, housing, and business practices.

Some interesting facts are that there were 40 cases filed by females compared to 26 filed by males. The breakdown of cases filed by race/national origin is: Caucasian = 34; African-American = 17; Hispanic = 3; Native American = 2; Mexican = 4; Bolivian = 1; Guatemalan = 2; Burmese = 1, and Kurdish = 1.

CUMULATIVE OBSERVATIONS, 1995-2005

From 1995 to 2005, there was an average of 97 complaints filed per year of which the average for housing was 10 per year, the average for employment was 77 per year and for public accommodation the average was 8 per year.

CASES FILED IN 2005				
	EMPLOYMENT	HOUSING	PUBLIC ACCOMMODATION	TOTAL
Race	16	3	2	21
Color	0	0	0	0
Sex	15	2	1	18
Age	9	NA	NA	9
Religion	0	0	0	0
Disability	12	6	3	21
National Origin	7	2	0	9
Retaliation	8	1	1	10
Marital Status	0	0	0	0
Familial Status	NA	0	NA	0
Ancestry	0	0	0	0
TOTAL	67	14	7	88*
ACTUAL TOTAL	47	13	5	65

* A total of 88 bases is shown because some complaints were filed on more than one basis.
 **The actual total indicates how many individual cases were filed.

CASES FILED 1995 - 2005				
	EMPLOYMENT	HOUSING	PUBLIC ACCOMMODATION	TOTAL
YEAR	# FILED	# FILED	# FILED	# FILED
1995	36	7	5	48
1996	70	23	9	102
1997	47	11	9	67
1998	65	11	5	81
1999	58	4	8	70
2000	143	4	9	156
2001	78	4	9	91
2002	80	13	9	102
2003	75	9	10	94
2004	69	13	8	90
2005	47	13	5	65
TOTAL	768	112	86	966

CASE DECISIONS IN 2005		EMPLOYMENT	HOUSING	PUBLIC ACCOMMODATION	TOTAL
No Reasonable Cause		45	8	1	54
Pre-Determination Settlements		7	3	2	12
Reasonable Cause*		7	0	1	8*
1. Public Hearing Decisions					
a. No Reasonable Cause		0	0	0	0
b. Reasonable Cause		0	0	0	0
c. Withdrew		0	0	1	1**
2. Conciliations					
a. Successful		1	0	1	2
b. Failed ordered to Public Hearing		1	0	0	1
c. Withdrew - NRTS		4	0	0	4
Administrative Closures					
1. Withdrawals		2	0	1	3
2. Withdrawal with Settlement		1	1	0	2
3. Lack of Cooperation		0	0	0	0
4. Lack of Jurisdiction		1	0	0	1
5. Failure to Locate		0	0	0	0
TOTALS		69	12	7	88

* Reasonable Cause findings will result in more than one decision; therefore, the total number of decisions made (88) is greater than the total number of cases closed (78). **Reasonable Cause decision in 2004 that had a public hearing in 2005 and then Complainant withdrew.

EDUCATION & OUTREACH SERVICES FOR 2005

In 2005, the Lincoln Commission on Human Rights continued with educational sessions to the public on employment, housing, and public accommodations. There were 71 sessions, including the 2005 Fair Housing Conference, 2005 Symposium on Employment Issues, and a joint effort with the Lincoln Public Schools, that reached more than 3,200 people.

We also continued to survey our clients, both Complainants and Respondents, in order to always strive to improve our services to the community and so that people who come to LCHR can have input into how they perceive LCHR. Approximately 145 customer satisfaction surveys were sent in 2005 with an average return rate of about 34% and an above average score of satisfaction in 90% of the surveys.

2005 ACCOMPLISHMENTS OF THE LCHR TEAM

Larry Williams, Colleen Floth, Angela Wortman,
Sandi Moody and Valerie Stubblefield

- A co-sponsor of the annual Martin Luther King Freedom Breakfast with LPS, UN-L, SECC and the Interfaith Council, as well as the annual State of Nebraska Celebration.
- Represented on the Lincoln Board of Realtors Diversity/Equal Opportunity Subcommittee.
- Coordinated the 2005 Fair Housing Conference in April with over 300 attendees.
- Coordinated the 2005 Symposium on Employment Issues with around 90 attendees.
- Permanent participant on the Mayor's Multicultural Affairs Committee (MAC).
- Renewed grants with the United States Equal Opportunity Commission and the United States Department of Housing and Urban Development.
- Active participant and member in Citizens Against Racism and Discrimination.
- Participant in the Diversity Partnership Association sponsored by the Nebraska Health and Human Service System.
- Sponsored booths at the Juneteenth Celebration, World Day on the Mall, and Hispanic Festival.
- Active member in the Community/Ethnic Center monthly discussion group.
- Member and participant in the Nebraska Minority Public Health Association.
- Co-chairperson of the Lincoln Public Schools Multicultural Affairs Committee.
- Attended conferences sponsored by EEOC, HUD, and NFHA, including the new Fair Housing Training Academy.
- Partnership with the Fair Housing Center of Nebraska in training fair housing testers, conducting fair housing informational sessions, etc.
- Co-Chairperson and member of the New Americans Task Force.
- Active member of the Lancaster County Disproportionate Minority Contact Committee.
- Active member of the Lincoln-Lancaster County Homeless Coalition.
- Co-coordinator and office participation in the annual County/City Food Bank Drive.
- Active participant in the Lincoln NAACP branch, including co-chairing the annual Freedom Fund Banquet planning committee.
- Collaborated with the Lincoln-Lancaster Women's Commission to present programs on sexual and racial harassment at all the Lincoln Public High Schools.
- Fair Housing training for Neighborworks First Time Home Buyer Classes.
- Participant in the Region V Culturally Linguistic and Appropriate Services Coalition.

CONTRACT COMPLIANCE

The City of Lincoln requires that any contract of more than \$10,000 with any contractor, vendor or supplier of goods and services to the City of Lincoln comply with the provisions of the City of Lincoln's Affirmative Action Policy, (1.16 Contract Compliance). In addition, Section 11.08.160, of the Lincoln Municipal Code requires that every contract contain a provision not to discriminate against any employee or applicant for employment because of race, color, religion, sex, disability, national origin, ancestry, age or marital status. These requirements also apply to any subcontractor.

All awards of more than \$10,000 are entered into and authorized with the City of Lincoln Charter Article VII, Section 2. These awards are subject to "competitive bidding" and are contracted to the "lowest responsible bidder." If the interests of the City are best served by accepting other than the lowest bid, the Purchasing Agent, with the approval of the Mayor, may reject such bids.

In addition to price, the Purchasing Agent considers, among several other factors, the following in determining the "lowest responsible bidder":

- 1) The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
- 2) The previous and existing compliance by the bidder with the laws and ordinances relating to the contractor service.

Compliance with the Equal Opportunity requirements is vested with the City of Lincoln's Equal Opportunity Officer (EOO).

STATUS REPORT

The Equal Opportunity and the Affirmative Action Officers are in the process of developing new processes and procedures which will insure that all aspects of the mandated rules are being fulfilled and our Affirmative Action Plan is followed.

Recent reports compiled by the Lincoln Commission on Human Rights indicate that the number of contracts entered into by women and minority businesses with the City continues to decline and our internal processes to fulfill the requirements of the Municipal Code and the Affirmative Action Plan are in need of revision.

Our goal in 2006 is to continue streamlining this process, insuring women and minority enterprises have an opportunity to be contractors, vendors or provider of goods for the City. In the fall of 2005 the Historically Underutilized Business Directory was updated and made available on the City's Web site. The goal is to update the Directory every three months or as new information is obtained.